

Translation

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference P35568B	FOR FURTHER ACTION	See Form PCT/IPEA/416
International application No. PCT/FR2004/000777	International filing date (day/month/year) 26.03.2004	Priority date (day/month/year) 28.03.2003
International Patent Classification (IPC) or national classification and IPC		
Applicant ASK S.A.		

1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of <u>5</u> sheets, including this cover sheet.
3. This report is also accompanied by ANNEXES, comprising: a. <input checked="" type="checkbox"/> (sent to the applicant and to the International Bureau) a total of <u>14</u> sheets, as follows: <input checked="" type="checkbox"/> sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions). <input type="checkbox"/> sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box. b. <input type="checkbox"/> (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s)) _____, containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).
4. This report contains indications relating to the following items: <input checked="" type="checkbox"/> Box No. I Basis of the report <input type="checkbox"/> Box No. II Priority <input type="checkbox"/> Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability <input type="checkbox"/> Box No. IV Lack of unity of invention <input checked="" type="checkbox"/> Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement <input type="checkbox"/> Box No. VI Certain documents cited <input type="checkbox"/> Box No. VII Certain defects in the international application <input type="checkbox"/> Box No. VIII Certain observations on the international application

Date of submission of the demand	Date of completion of this report
Name and mailing address of the IPEA/EP	Authorized officer
Facsimile No.	Telephone No.

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/FR2004/000777

Box No. I

Basis of the report

1. With regard to the **language**, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.

- ☐ This report is based on translations from the original language into the following language _____, which is the language of a translation furnished for the purposes of:
- ☐ international search (Rule 12.3 and 23.1(b))
- ☐ publication of the international application (Rule 12.4)
- ☐ international preliminary examination (Rule 55.2 and/or 55.3)

2. With regard to the **elements** of the international application, this report is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report)*:

- ☐ the international application as originally filed/furnished
- ☒ the description:

pages _____ as originally filed/furnished

pages* 1-11 received by this Authority on 02.02.2005 with the letter of 31.01.05

pages* _____ received by this Authority on _____

- ☒ the claims:

nos. _____ as originally filed/furnished

nos.* _____ as amended (together with any statement) under Article 19

nos.* 1-10 received by this Authority on 02.02.2005 with the letter of 31.01.2005

nos.* _____ received by this Authority on _____

- ☒ the drawings:

sheets 1/4-4/4 as originally filed/furnished

sheets* _____ received by this Authority on _____

sheets* _____ received by this Authority on _____

- ☐ a sequence listing and/or any related table(s) – see Supplemental Box Relating to Sequence Listing.

3. ☐ The amendments have resulted in the cancellation of:

☐ the description, pages _____

☐ the claims, nos. _____

☐ the drawings, sheets/figs _____

☐ the sequence listing (*specify*): _____

☐ any table(s) related to sequence listing (*specify*): _____

4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

☐ the description, pages _____

☐ the claims, nos. _____

☐ the drawings, sheets/figs _____

☐ the sequence listing (*specify*): _____

☐ any table(s) related to sequence listing (*specify*): _____

* If item 4 applies, some or all of those sheets may be marked "superseded."

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/FR2004/000777

Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	1-10	YES
	Claims	-	NO
Inventive step (IS)	Claims	1-10	YES
	Claims	-	NO
Industrial applicability (IA)	Claims	1-10	YES
	Claims	-	NO

2. Citations and explanations (Rule 70.7)

1. In the present report, reference is made to the following documents:

D1: WO 01/95252 A;

D2: EP 1 189 168 A.

2. Document D1, which is considered to be the most relevant prior art, describes (the references between parentheses apply to said document):

a contactless smart card (reference sign 14, figure 1) that includes an antenna (reference sign 13, figure 1) on a substrate (reference sign 1, figure 3), which antenna consists of at least one turn screen-printed using conductive ink on said antenna substrate (page 6, lines 3-5), two card bodies (reference signs 2 and 4, figure 3) on either side of said substrate, each of said card bodies consisting of at least one plastic film (reference signs 2 and 4, figure 3), and a chip connected to said antenna (page 6, lines 9-13).

wherein said antenna, which consists of two

Box No. V

Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

conductive ink connection pads (figure 1) and turns, is screen-printed on an area of said antenna substrate.

The subject matter of **independent claim 7** differs from the smart card in D1 in that:

The smart card in claim 7 also comprises:

- a material consisting mainly of resin, which is deposited on said area corresponding to or slightly larger than the antenna print.

2.1 It follows that the subject matter of claim 7 is novel (PCT Article 33(2)).

The problem that the present invention is intended to solve can be considered to be that of:

- preventing any damage to the antenna screen-printed on a thermoplastic substrate, during the lamination step.

2.2 The solution to this problem, as proposed in claim 7 of the present application, is considered to involve an inventive step (PCT Article 33(3)), for the following reasons:

Document D2 describes a biodegradable resin, which is used to retain the antenna and prevent any movement of same during the lamination step. D2 does not, however, describe the deposition of a layer of resin onto the antenna substrate before

Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
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the antenna is produced and such a feature could not have been derived in an obvious manner by a person skilled in the art.

2.3 **Claims 8-10** are dependent on claim 7 and, as such, therefore also fulfil the PCT requirements of novelty and inventive step.

3. The arguments set out above with respect to product claim 7 also apply *mutatis mutandis* to **method claim 1**.

3.1 **Claims 2-6** are dependent on claim 1 and, as such, therefore also fulfil the PCT requirements of novelty and inventive step.